

AN ORDINANCE BANNING SUCCESSOR  
CLAUSES AND PROHIBITIONS  
AGAINST CONTRACTING OUT WORK  
HISTORICALLY PERFORMED BY  
BARGAINING UNITS

WHEREAS, the City Council has requested that the City administration explore ways of reducing expenses in both the Civil City and City Utilities; and

WHEREAS, one such option would be privatization, or contracting out, certain services currently provided; and

WHEREAS, a majority of the City's and City Utilities' collective bargaining agreements contain successor clauses and/or prohibitions against contracting out bargaining unit work; and

WHEREAS, such clauses and prohibitions reduce the attractiveness of privatization, or contracting out;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

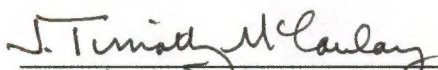
SECTION 1. Section 20-16(m) is added to the Fort Wayne City Code to read as follows:

(m) No successor clauses or prohibitions against contracting out: No agreement entered into under this section may contain a provision that binds a successor to the terms and conditions of the agreement, that requires a successor to recognize the bargaining agent as the exclusive representative of any employees employed by the city or its utilities under said agreement and to be employed by the successor entity, or that prohibits the city or its utilities from contracting out work historically performed by members of a bargaining unit.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor and shall apply to all agreements entered into after its effective date.

  
Council Member

APPROVED AS TO FORM  
AND LEGALITY

  
J. Timothy McCaulay  
City Attorney

Read the first time in full and on motion by Edmonds, seconded by Delano, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 3-10-92 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds, seconded by \_\_\_\_\_, and duly adopted, placed on its passage.  
~~PASSED~~ LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES		6	1	2
BRADBURY		✓		
EDMONDS		✓		
GiaQUINTA				✓
HENRY		✓		
LONG			✓	
LUNSEY		✓		
RAVINE		✓		
SCHMIDT				✓
TALARICO		✓		

DATED: 5-12-92 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

ATTEST: (SEAL)  
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: General Ordinance

DEPARTMENT REQUESTING ORDINANCE: Mayor's Office

SYNOPSIS OF ORDINANCE:

*G-92-03-08*

1) Eliminates successor clauses in collective bargaining agreements.

2) Eliminates prohibitions against contracting out bargaining unit work.

EFFECT OF PASSAGE: Privatization easier.

EFFECT OF NON-PASSAGE: Privatization less attractive.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): \_\_\_\_\_

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_

Committee of the Whole

CLETUS R. EDMONDS, CHAIRMAN  
JANET G. BRADBURY, VICE CHAIRWOMAN  
RAVINE, TALARICO, SCHMIDT

## CLAUSES AND PROHIBITIONS AGAINST CONTRACTING OUT WORK HISTORICALLY PERFORMED BY BARGAINING UNITS

DO PASS

ABSTAIN

1NO REC

J. R. Edmunds  
 Abea Garneau  
 John J. Humphrey  
 Melvin Jensen  
 J. Bradbury

Sandra E. Kennedy  
City Clerk